

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Blue Spike, LLC,

*Plaintiff,*

v.

TEXAS INSTRUMENTS, INC., et al.,

*Defendants.*

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

*Plaintiff,*

v.

ACCU-TIME SYSTEMS, INC.,

*Defendant.*

CASE NO. 6:13-cv-037 MHS

CONSOLIDATED CASE

Jury Trial Demanded

**DECLARATION OF RANDALL GARTEISER IN SUPPORT OF**  
**PLAINTIFF'S OPPOSITION TO DEFENDANT**  
**ACCU-TIME SYSTEMS, INC.'S MOTION TO DISMISS [DKT. 576]**

I, Randall T. Garteiser, declare as follows:

1. I, Randall T. Garteiser, am a partner in the law firm of Garteiser Honea, P.C. We represent Plaintiff Blue Spike LLC in this lawsuit. I have personal knowledge of the information contained in this declaration and can testify to the truth of these statements.

2. Attached hereto as Exhibit 1 is a true and correct copy of a document titled "Report and Recommendation of United States Magistrate Judge" filed in *Patent Harbor, LLC v. DreamWorks Animation SKG, Inc.*, No. 6:11-cv-229 (E.D. Tex. July 27, 2012) as docket item 486.

3. Attached hereto as Exhibit 2 is a true and correct copy of a document titled “ATS Biometric Devices” accessed on April 15, 2013 in Accu-Time Systems, Inc’s website. This document describes the abilities of Accu-Times biometric fingerprint readers.

4. Attached hereto as Exhibit 3 is a true and correct copy of a product description titled “AccuTouch USB” found in Accu-Time’s website, accessed on April 15, 2013.

5. Attached hereto as Exhibit 4 is a true and correct copy of a product description titled “Maximus” found in Accu-Time’s website, accessed on April 15, 2013.

6. Attached hereto as Exhibit 5 is a true and correct copy of a product description titled “Optimus2” found in Accu-Time’s website, accessed on April 15, 2013.

7. Attached hereto as Exhibit 6 is a true and correct copy of a product description titled “Prodigy” found in Accu-Time’s website, accessed on April 15, 2013.

I declare on April 15, 2013, in Marin County under penalty of perjury under the laws of the United States and California that the statements made in this declaration are true and correct.

/s/ Randall Garteiser  
Randall T. Garteiser